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June 10, 2024

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## VIA ECF

Hon. Margaret M. Garnett, USDJ  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2102  
New York, NY 10007

**Re: Smith v. Geller et al, 1:24-cv-00466-MMG**

Your Honor,

We represent the Plaintiff in the above-referenced action.

We write pursuant to the Court's email, dated June 7, 20224, requesting a status update, and to respectfully submit Plaintiff's first request for an adjournment of the initial conference scheduled for June 12, 2024. ECF 5.

Service of the Corrected Summons and Amended Complaint was completed May 24, 2024. ECF 16-17. Counsel has yet to appear on behalf of the Defendants, and Defendants' deadline to answer is June 14, 2024 (after the date of the initial conference). Id. Accordingly, Plaintiff respectfully requests an adjournment of the initial conference until after Defense Counsel has appeared and answered the Amended Complaint.

Respectfully submitted,

s/Steven Balken  
Steven Balken, Esq. (SB0525)

Request GRANTED. The initial pretrial conference that was previously scheduled for June 12, 2024, is hereby ADJOURNED to **Wednesday, July 3, 2024, at 11:30 a.m.** The joint letter and joint proposed Civil Case Management Plan and Scheduling Order described in the Court's previous Order at Dkt. No. 5 is now due on **June 26, 2024.** **Counsel who have entered a notice of appearance as of the issuance of this Order are directed (1) to notify counsel for all other parties in this action who have not appeared by serving upon each of them a copy of this Order forthwith, and (2) to file proof of such service with the Court.** If unaware of the identity of counsel for any such parties, counsel receiving this Order must forthwith sent a copy of this Order to that party personally.

The Clerk of Court is directed to terminate Dkt. No. 18.

SO ORDERED. Date 6/10/2024

HON. MARGARET M. GARNETT  
U.S. DISTRICT JUDGE

